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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No.: 016778/0398

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MAIL ROOM

In re patent application of
Ryuichi KATAYAMA

Serial No.: 09/442,773

Group Art Unit: 2754

Filed: November 18, 1999

Examiner: Unassigned

For: OPTICAL HEAD APPARATUS

INFORMATION DISCLOSURE STATEMENT

UNDER 37 C.F.R. § 1.56

Commissioner for Patents
Washington, D.C. 20231

SIR:

Submitted herewith on Form PTO-1449 is a listing of documents known to the Applicant in order to comply with applicant's duty of disclosure pursuant to 37 C.F.R. § 1.56. A copy of each listed document is being submitted herewith to comply with the provisions of 37 C.F.R. § 1.97 and 1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or is considered to be material to patentability as defined in 37 C.F.R. § 1.56(b). Applicant does not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* prior art reference against the claims of the present application.



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RELEVANCE OF EACH DOCUMENT

The documents listed on the attached PTO-1449 were cited during the prosecution of the corresponding Japanese application. Regarding the relevance of the cited references, a Japanese Office Action for a counterpart Japanese application, which Office Action issued on May 22, 2001, states that Figure 1 of Japanese Unexamined Patent Application 6-236564 is relevant to claim 1 of the Japanese application, and that the other three references are relevant to claim 2 of the Japanese application because they allegedly disclose a detecting a tracking error signal according to a phase differential method and a tracking error signal according to a push-pull method by a common photodetector (*see* Japanese Unexamined Patent Application 60-157737, "Abstract" in the lower right quadrant of page 2, Japanese Unexamined Patent Application 61-248240, "Operation" section in the lower right quadrant of page 2, and Japanese Unexamined Patent Application 4-355221, Fig. 1).

Applicant's statements regarding the Japanese Office Action are based on a translation that Applicant's counsel obtained. These statements should in no way be considered as an agreement by Applicant with, or an admission of, what is asserted in the Japanese Office Action.

CERTIFICATION

The undersigned hereby states in accordance with 37 C.F.R. §1.97(e) (1) that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of this Information Disclosure Statement.

Serial No.: 09/442,773



Applicant respectfully requests that the listed documents be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO-1449 be returned in accordance with MPEP §609.

Respectfully submitted,

Date: 6/26/01

A handwritten signature in dark ink, appearing to read "Leon Radomsky", written over a horizontal line.

Leon Radomsky
Reg. No.: 43,445

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